



Text Amendment #2019-0003

Private Residential Garages

(A) Initiation of a Text Amendment; and (B) Public hearing and consideration of a Text Amendment to the Zoning Ordinance to amend section 7-2500 related to residential garages, create and amend definitions in Article II related to residential garages, amend section 11-1302 to create a special exception process for attached garages with vehicle openings facing the street, and to amend section 7-2200 by moving the Tree Coverage Requirements from section 7-2507 there.	Planning Commission Hearing:	June 04, 2019
	City Council Hearing:	June 22, 2019

Staff: Tony LaColla, AICP, Land Use Services Division Chief, anthony.lacolla@alexandriava.gov
Mary Christesen, Zoning Manager, mary.christesen@alexandriava.gov
Ashley Smith, Urban Planner, ashley.smith@alexandriava.gov

PLANNING COMMISSION ACTION, June 4, 2019: On a motion by Commissioner Lyle, and seconded by Commissioner Brown, the Planning Commission voted to initiate Text Amendment #2019-0003. The motion carried on a vote of 5-0.

On a motion by Commissioner Lyle, and seconded by Commissioner Brown, the Planning Commission voted to recommend approval of Text Amendment #2019-0003, inclusive of the changes outlined in the attached staff memo dated June 3, 2019. The motion carried on a vote of 5-0.

Reason: The Planning Commission agreed with the staff analysis.

Commissioner Brown asked staff to address the suggestions proposed in his memo dated June 1, 2019. Staff responded that many of the suggestions were edits to the staff report and staff worked to adopt Commissioner Brown's revisions to the actual text language.

Commissioner Brown asked staff if they agreed with his comment regarding the bright-line changes. Staff responded that they agreed with his assessment.

Commissioner Brown asked expressed favor in including a specific reference to the Special Exception processes under the residential garages regulations. Staff responded that this reference was not present in other sections of the zoning ordinance which allow for Special Exceptions.

Commissioner Brown asked why on page 10 of the staff report, the word "may" was not changed to "must". Staff responded that residents could build detached garages which were not FAR excludable and comply with the setbacks but the proposed conditions only apply to the garages applicable to Section 7-2501.

Chairman Macek, expressed support for the proposed amendments, stating that they allow increased flexibility while maintaining neighborhood character. Chairmain Macek also addressed the letter from the Del Ray Citizen's Association regarding their input in the the location of detached garages but supported staff review of these cases unless a broader community review is required through public hearings.

I. Issue

The Zoning Ordinance protects established neighborhoods and their distinctive characteristics by addressing how certain factors contribute to successful and harmonious zones. These factors include the size, shape, and form of houses, and the relation of each house to the street and nearby houses, combined with a consistent pattern of lot development. The Zoning Ordinance currently prohibits forward-facing attached garages on most lots developed with single and two-family dwellings and encourages freestanding garages in the rear yard to reduce instances where garages are the dominant architectural feature along a neighborhood street. Staff is recommending a moderation of this prohibition in certain circumstances, such as when forward-facing garages are the prevailing design in a neighborhood, and if the forward-facing garage is designed in a way to minimize its visual impact.

The purpose of this text amendment is to allow flexibility and consistency for homeowners requesting residential garages. The proposed text amendment allows new garages, whether part of an addition or a new house, to be consistent with the prevailing pattern in the neighborhood with respect to the location of the garage relative to the house, the size and configuration of the garage and the manner of access. Staff proposes to amend Article II, Article VII and Article XI of the Zoning Ordinance to allow forward-facing attached garages in neighborhoods with similar garage types and provide flexibility for building freestanding garages.

As a result of the current regulations, several implementation issues have become evident. First, many lots throughout the city cannot add a side or rear loaded garage due to turning radius constraints, issues of topography and placement of the dwelling. Even many lots 65 feet and wider still do not have adequate lot width to support the turning radius necessary for side-loaded garages.

Second, side and rear loaded garages require a large amount of paving. If lots can support the necessary physical requirements of side and rear loaded garages, the required paving of many rear and side yards is greater than the 50 percent maximum allowed in a required yard. It is a goal of the city to encourage and support open and useable space, not dedicated to parking. This goal is not met with the extensive paving required for side loaded and rear loaded garages.

Lastly, some established neighborhoods are characterized by forward-facing attached garages. Under the current regulations, many homeowners are only able to build detached garages and side or rear loaded garages, if the lot allows. While detached or side/rear loaded garages are desirable even in neighborhoods of primarily forward-facing garages, it is often not practical. In addition, new forward-facing garages are most jarring in neighborhoods that do not have forward-facing garages. Staff believes that, with proper design, forward-facing garages can be compatible in a neighborhood where forward-facing garages predominate.

Staff continues to encourage the construction of freestanding garages by reducing the minimum eligible lot size from 5,000 square feet to 2,500 square feet for FAR excludable garages located in the required rear and side yards. While freestanding garages are allowed on lots meeting the lot size criteria, forward-facing attached garages will only be allowed on lots where the neighborhood character reflects a majority development pattern of forward-facing attached garages. The proposed text amendment will reduce the prominence of the garage by recessing the garage behind

the front building wall and establishing maximum vehicle opening based on the width of the building. All attached garages will continue to be required to comply with FAR and setbacks in the zone. While this text amendment will allow forward-facing attached garages in certain circumstances where they are compatible with neighborhood character, it takes precautions to ensure the garage will remain subordinate to the primary front facade of the house.

II. Background

One goal of the 2008 Residential Single and Two-Family Infill Regulations was to reduce the dominance of forward-facing attached garages by incentivizing freestanding garages to the rear of the dwelling and requiring attached garages to be side loaded on lots 65 feet and wider or set back from the front building wall on lots narrower than 65 feet. By restricting forward-facing attached garages by lot width, the provisions require residents to construct either a freestanding garage or an attached side or rear loaded garage.

While most of the proposed changes focus on allowing forward-facing attached garages in certain circumstances, the prohibition of those type of garages still applies when they are not a character defining feature of the neighborhood. Section 7-2502 requires attached garages to be either side and rear loaded garages unless specific criteria are met. The current regulations restrict homeowners from building garages which are compatible with the exiting neighborhood pattern of development. The proposed changes will provide flexibility for homeowners by creating ways in which forward-facing attached garages can be built only if specific criteria are met. The proposed changes reflect historic development patterns throughout the entire city and support the maintenance of well-established neighborhood characteristics.

III. Discussion of Proposed Text Changes

A. Definitions

Staff proposes amendments to the following definitions: 2-149 (garage, private), 2-197.3 (subdivision) and 2-197.4 (title loan business). Staff also proposes to amend and move 2-103 (accessory building) to 2-197.1 (structure, accessory) and create new definitions for the front building wall (Section 2-125.1) and subordinate structure (Section 2-197.2). With these amendments, staff intends to provide more clarity and consistency to both staff and the public for application and interpretation of the Zoning Ordinance. Staff also proposes numerical changes to the definition section to accommodate new definitions.

Section 2-103 – Accessory building and 2-197.1 Structure, Accessory

Replace the word “building” with the word “structure” and move this to section 2-197.1 where other types of structures are defined. This change is to reflect other language in the Zoning Ordinance, specifically Section 7-100 for accessory uses and structures.

Section 2-125.1 – Building wall, front

Several sections in the Zoning Ordinance prohibit accessory structures forward of the front building wall, including the proposed changes to Section 7-2502 and the recently amended Section

7-103. A definition for the front building wall will clarify this requirement and allow staff and the public to accurately interpret these sections.

Section 2-149 – Garage, private

To maintain consistency with the definition of accessory structures and related sections of the Zoning Ordinance, staff proposes to amend the word “building” to “structure”. Staff also proposes to include carports in the definition of private garages. The inclusion of carports has been a consistently applied interpretation of the Zoning Ordinance by staff and the Board of Zoning Appeals. Adding carports and other parking structures to the definition will uphold established interpretations and provide clarity.

Section 2-197.3 – Structure, subordinate

In multiple sections of the Zoning Ordinance, including definitions 2-103 (accessory building) and Section 2-104 (accessory uses), subordinate structures are referenced. Staff proposes a definition of subordinate structures to provide consistently applied standards for determining if a structure is subordinate to a principal structure. The proposed 33 percent of the gross area and 50 percent of the height allow staff and the public to appropriately apply regulations.

B. Accessory Structures Regulations

Section 7-103 – Use limitations.

Staff proposes to amend the use of “building” to “structure” in Section 7-103(D) to remain consistent with the proposed definitions and other similar provisions throughout the Zoning Ordinance.

C. Tree Coverage Requirement

Staff recommends moving the tree coverage requirements from the infill regulations section, Section 7-2507, into a reserved section, Section 7-2200. The recent text amendments have redistributed the infill regulations for single- and two-family residential zones into specific zone regulation sections, only garages and tree coverage requirements remain under Section 7-2500. Section 7-2500 will apply specifically apply to private garages. Staff proposes to replace the word “site” in the regulation to “lot” to be consistent with Section 2-166, the definition of lot. Staff proposes no other changes to the tree coverage requirement regulations.

D. Private Garages

Once the tree coverage requirements are moved out of section 7-2500, only regulations regarding garages remain in the Infill Regulations for Single and Two-Family Dwellings. Section 7-2500 will be retitled Private Garages.

Staff recommends changes to the regulations for freestanding garages, Section 7-2501 by expanding the range of lots eligible for freestanding garages and adding criteria for permitting attached garages with vehicle openings facing the street, Section 7-2502 in residential zones. Staff

proposes to re-label Section 7-2500 from Infill regulation for single- and two-family residential zones to Private Garages.

7-2501 Freestanding private garages to the rear of the main building

To encourage the development of freestanding private garages, the current regulations allow for FAR exempt garages in the required rear and side yard setbacks, the size of which is determined by lot size. The minimum lot size eligible for FAR exempt freestanding garages is 5,000 feet for a garage no taller than 11.50 feet and no greater than 250 square feet. Many lots located in neighborhoods with a character of freestanding garages have lot sizes less than 5,000 feet. Some of these properties are two unconsolidated 2,500 square foot lots, which under the current Zoning Ordinance would have to be consolidated prior to the approval of a garage. Staff proposes to decrease the eligibility minimum lot size from 5,000 to 2,500 square feet. The freestanding garage regulations of this section apply to all single-family and two-family lots in R-20, R-12, R-8, R-5, R-2-5, RA and RB zones.

While the garages that meet the standards in section 7-2501 do not have to comply with the required side or rear setbacks, the regulations require that a 1- or 3- foot setback be maintained, depending on the location of windows. Staff recommends requiring not only the garage walls but also any architectural features, such as eave and gutter to comply with the 1- or 3- foot required setback.

Staff recommends language to allow the director to determine an appropriate location behind the front building wall when placing the entire garage behind the rear building wall is not possible due to lot constraints. This situation commonly applies to corner lots. This proposed language would allow lots that comply with all other criteria in section 7-2501, to construct a detached garage despite irregular lot constraints.

Staff proposes other language changes to section 7-2501 to provide clarity and consistency with proposed definitions and other sections of the Zoning Ordinance.

Section 7-2502 Attached private garages

The proposed changes to the attached garage regulations are intended to ensure the garages with vehicles openings facing the street are only allowed when the existing character of the neighborhood dictates it is appropriate. When forward-facing attached garages are a character defining feature of a neighborhood the regulations further ensure that the garage does not dominate the view of the front of the house by requiring the garage to be setback from the front building wall by 8 feet and limiting the size of the vehicle opening to no more than 33 percent of the width of the building. Additionally, the garages will be required to be setback a car length from the property line or street to provide for a more pleasant pedestrian environment by discouraging parking vehicles across the sidewalk. The attached garage regulations of this section apply to all new garages or expansion of existing garages for single-family houses in R-20, R-12, R-8, R-5, R-2-5, RA and RB zones.

While garages and other accessory structures can contribute to the character of a neighborhood, they should not overshadow the streetscape. To ensure that forward-facing attached garages are only permitted where they are in character with the existing development pattern of the neighborhood and that when they are permitted, they do not become the dominant feature of the house, staff proposes the following specific criteria for the proposed garages.

The first requirement for a homeowner to construct a forward-facing attached garage is that 50 percent of the contextual block face must contain forward-facing attached garages. This requirement ensures that the character of the neighborhood supports a forward-facing attached garage. The contextual block face can establish the setting and development pattern for houses, including setbacks, orientation of the house to the street, location of driveways, garages, building heights, and even landscaping. Where original houses define the neighborhood, new houses and additions should support that definition. Because of the diversity of architectural styles within many neighborhoods, a neighborhood's identity is often based on common development patterns shared by houses. These patterns include similarities in mass, scale, complexity of form, relationship to the street and to each other. Staff recommends allowing garages with the vehicle opening facing the primary front yard if the majority of the homes in the contextual block face provide forward-facing attached garages.

If the contextual block face yields a majority of forward-facing attached garages, and a forward-facing garage is allowed, then the dominance of the garage is to be limited by requiring the aggregate width of the vehicle opening to be less than 33 percent of the width of the principal structure facing the front property line. One third of the width of the principal structure is consistent with the proposed definition of Subordinate Structure in Section 2-197.3.

To keep garages behind the front building wall and lessen their visual impact to from the street, forward-facing attached garages will be required to be set back at least 8 feet from the front building wall. An additional setback of 18.50 feet from an interior edge of a sidewalk or 20.00 feet from the property line where there is not sidewalk to allow for a full car length in front of the garage to discourage cars from parking partially across the sidewalk or in the street. Attached garages will be recessed from the primary front building wall, not including porches, bay windows, or other permitted obstructions per Section 7-202.

E. Special Exception Established

Staff proposes the creation of a special exception process for certain forward-facing attached garages with the vehicle opening facing the primary front yard not meeting the requirements proposed in Section 7-2502. The proposed special exception criteria would be in addition to the specific eligibility criteria that apply for all special exceptions in section 11-1304. Requests for forward-facing attached garages that do not meet the eligibility criteria for a special exception could request a variance.

The current provisions for private garages in residential zones do not provide a special exception and homeowners who wish to build a forward-facing attached garage must apply for a variance which has a higher threshold which applicants are usually unable to meet. As a result of several

cases and the Board of Zoning Appeals request throughout the past decade, staff is proposing specific criteria that applicants could meet to be eligible for a special exception process.

Similar to the proposed criteria in Section 7-2502, the goal of the special exception is to allow forward-facing attached garages if the applicant can demonstrate that an established neighborhood feature contains forward-facing attached garages. This neighborhood character is determined by a majority of houses within the contextual block face or an expanded block face having been developed with attached garages with the vehicle opening facing the primary front yard. If the contextual block face cannot demonstrate that at least 50 percent of the dwellings are developed with similar garages, but by expanding the block face, as defined by Section 2-122, the neighborhood has a character of forward-facing attached garages, the applicant may seek a special exception.

Staff has also provided the proposed criteria from Section 7-2502 regarding vehicle opening width and the proximity of the of the garage to the front building wall.

IV. Outreach

Staff presented initial findings and potential recommendations and held a discussion at a public meeting on April 22, 2019. Staff was then invited to present the proposed text amendment at the Del Ray Citizen's Association meeting on May 8, 2019. At the meeting, staff gave a presentation on the proposed text amendment and held a discussion. Members of the Del Ray Citizen's Association asked specific questions regarding the impacts of the proposed changes and expressed general support of the proposed changes as most lots in Del Ray would not be affected by the proposed changes related to attached garages.

Staff then posted presentation materials and background information on the City's website with instructions on how to provide feedback. During the period of feedback, staff received several questions about how these regulations would impact their specific property or neighborhood. Generally, the feedback was supportive of the proposed changes.

V. Recommendation

Staff **recommends approval** of the change to the Zoning Ordinance as proposed in the following attachment.

Staff: Tony LaColla, AICP, Land Use Services Division Chief
Mary Christesen, Zoning Manager
Ashley Smith, Urban Planner

Attachment #1
PROPOSED ZONING TEXT CHANGES

Article II. – Definitions

~~2-103 – Accessory building.~~

~~A subordinate building, the use of which is incidental to that of the main building or to the use of the premises.~~

2-125.1 Building wall, front.

The wall of a principal structure located in the closest proximity to a front property line.

2-145 – Floor area.

- A. For residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts), the floor area of the building or buildings on a lot or tract or tract of land (whether "main" or "accessory") is the sum of all gross horizontal areas under roof on a lot. It shall include all space which is deemed habitable space by the Virginia Uniform Statewide Building Code (USBC) or seven feet or more in height, whichever is less. These areas shall be measured from exterior faces of walls or any extended area under roof and are to be measured from the shared lot line in the case of party walls. Floor area with a ceiling height 15 feet or greater shall be counted twice. Floor area with a ceiling height 25 feet or greater shall be counted three times. This space shall be based on permanent construction whether or not provided with a finished floor or ceiling. Excluded from floor area shall be:
- (1) Stairs, and elevators. The term stairs includes ramps and other similar structures deemed necessary to provide access to persons with disabilities.
 - (2) Floor space used for utilities, which may include accessory water tanks, cooling towers, mechanical and electrical equipment, and any similar construction not susceptible to storage or occupancy (but not including ductwork, pipes, radiators or vents).
 - (3) Basements.
 - (4) Attic floor area with a ceiling height of seven feet or less or where the space with the ceiling height of seven feet or more is less than four feet wide, as measured from the attic floor or floor joists if there is no floor, to the bottom of the roof rafters or underside of the roof deck if there are no rafters.
 - (5) Porticos and portions of porches up to eight feet in depth located on the first or ground floor without second-story enclosed construction above the portico or porch.
 - (6) Free-standing garages to the rear of the main building in accordance with section ~~7-2505~~1.
 - (7) Architectural features up to a maximum projection of 30 inches extending beyond an exterior face of a building wall or column.
 - (8) Space under open balconies (decks) and similar structures projecting from the first floor or below.

- (9) Space under open balconies and similar structures projecting from a floor above the first floor up to a maximum depth of eight feet.
- (10) Retractable awnings not enclosed by a wall, pole, or fence on three sides and that do not use poles or posts for structural support.
- (11) Sheds and other small accessory buildings in accordance with section 7-202(B)(4).

2-149 - Garage, private

A building structure designed for the storage of not more than three motor-driven vehicles, including carports and other covered parking structures.

2-197.1- Structure, accessory.

A subordinate structure, the use of which is incidental to that of the main building or to the use of the premises.

2-197.42 Structure, ornamental.

An individual structure fixed to the ground having a purely decorative or commemorative quality or value, or designed exclusively for the outdoor display of an object having a purely decorative or commutative quality or value, and containing no storage, mechanical, habitable, or occupiable space.

2-197.3 Structure, subordinate.

An accessory structure with a gross floor area that is less than 33 percent of the gross floor area and less than 50 percent of the height of the principal structure.

2-197.24 - Subdivision.

The division of a lot, parcel or tract of land into two or more lots, plots, sites, parcels or other divisions for the purpose, whether immediate or future, of sale or building development and including the re-subdivision of existing lots, parcels, tracts or other divisions of existing and duly recorded subdivisions. Any tract of land upon which a street, alley or public right-of-way is dedicated shall be considered a subdivision.

2-197.35 - Title loan business.

A business regulated by section 6.2-2200 et seq. of the Virginia Code.

Article VII. – Supplemental Zone Regulations

7-103 - Use limitations.

The following limitations apply to accessory uses and structures:

- (A) No accessory use or structure shall be located forward of the front building line, except as provided in section 7-202(A).
- (B) No accessory use or structure shall be located in a required rear or side yard, except as provided in section 7-202.
- (C) Accessory structures shall be included in the calculations required by this ordinance for the purpose of complying with height and bulk regulations.

- (D) An accessory use or structure shall be located on the same lot as the principal structure or use served, except where it is located on an adjoining lot which contains no principal structure building and which is adjacent to and in common ownership with the lot on which the principal structure building which it does serve is located or as otherwise expressly authorized by the provisions of this ordinance.

7-2200- ~~Reserved~~. Tree coverage requirement.

The supplemental regulations in this section apply to residential lots in the R-20, R-12, R-8, R-5, R-2-5, and lots developed or proposed to be developed with single-family and two-family dwellings in the RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts. The tree coverage requirements are as follows:

- (A) For all construction that requires a grading plan, trees must be planted, or existing trees preserved to provide a minimum of 25 percent canopy cover over the lot. Refer to the City of Alexandria Landscape Guidelines to determine tree crown coverage allowances.
- (B) The director shall approve this requirement as part of the grading plan.

Sec. 7-2500 - ~~Infill regulations for single and two family residential zones.~~ Private Garages.

7-2501 – ~~Applicability.~~ Freestanding private garages to the rear of the main building.

The supplemental regulations in this [section 7-2500](#) apply to residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single family and two family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts). ~~These regulations supplement the residential zone regulations in Article III of this zoning ordinance.~~ The supplemental regulations in this section 7-2501 apply to residential lots developed or proposed to be developed with a single-family or two-family dwelling in the R-20, R-12, R-8, R-5, R-2-5, RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts. Freestanding private garages are only permitted when in compliance with the following standards:

- (A) Regardless of other regulations in this zoning ordinance, a freestanding garage is permitted to the rear of the main building in accordance with the regulations in this section 7-2502 so long as it is the only garage on the lot or adjacent vacant lot under common ownership. The floor area of such a garage constructed in accordance with the standards of this section will be excluded from the floor area calculated under the provisions of section 2-145(A)(6).
- (B) Standards.
- (1) Size. For lots with a minimum of 2,500 square feet and with less than 8,000 square feet lot area, the garage shall have a floor area not greater than 250 square feet and a height not greater than 11.50 feet. For lots 8,000 square feet or larger, the garage shall have a floor area not greater than 500 square feet and a height not greater than 13.50 feet. The director may modify the height permitted in this section 7-2502(B)(1) when the height and design of the garage are appropriate and compatible with the main dwelling and with the character of the immediate neighborhood.
- (2) Setback. The freestanding garage may be located in the required side or rear yard if it complies with the following:

- (a) The garage and any architectural features shall be setback a minimum of one foot from any side or rear property line if the garage wall facing that property line has no windows or doors or if that lot line borders an alley;
- (b) If the conditions of item (a) above are not met, the setback, including all architectural features, shall be three feet; and
- (c) If a wall of a dwelling on an adjacent lot has any windows or doors that have a sill lower than 13.50 feet, measured from grade, facing the shared property line and located within three feet of that shared property line, the new garage's setback shall be five feet, including any architectural features, from that shared property line. This setback from that shared lot line is required at the location of the affected window(s) or doorway(s) and is required to extend along the width of those window(s) or doorway(s) and for a minimum of five feet in each direction from that window or doorway.
- (d) The freestanding garage must be located completely behind the rear wall of the dwelling unless, the director determines that locating the garage completely behind the rear building wall is not possible due to topography, shape of the lot, placement of the existing dwelling on the lot or other environmental concerns, in these cases the garage must be located completely behind the front building wall, and approved by the director as to location.
- (3) Access. If there is no direct access to the freestanding garage from an alley, any new or replaced driveways providing access to the freestanding garage must be constructed of a permeable material and may be located in the side yard for access to the garage. Permeable-surfaced driveways can be composed of grass with ring and grid structure, gravel with a grid structure beneath, paving strips, a grid-based surface, or other treatments without significant compaction of the base, but must be approved by the Directors of Planning and Zoning and Transportation and Environmental Services. Either Director can grant an exemption to the permeable-surfaced driveway requirement in cases of steep slopes, adverse soil conditions, constructability, or other conditions that for safety or environmental reasons would require the use of non-permeable surfacing material. Tandem parking in the driveway is permitted. Curb cuts must be approved in accordance with section 5-2-2 of the City Code and section 8-200(C)(5) of this zoning ordinance. The number of vehicles permitted on the lot is limited by section 8-200(C)(6).
- (4) Compatibility. The freestanding garage shall be compatible with the principal structure in regards to materials and design.
- (5) Use. The freestanding garage shall be dedicated to the use and storage of motor vehicles

7-2502 - Reserved- Attached private garages.

The supplemental regulations in this section 7-2502 apply to residential lots developed or proposed to be developed with a single-family dwelling in the R-20, R-12, R-8, R-5, R-2-5, RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts. Private garages attached to the principal structure are only permitted when in compliance with the following standards:

- (A) An attached garage shall be no closer to the front property line than the front building wall facing the primary front yard and must be in compliance with the required yards established by the zone, and shall have the vehicle opening facing the side or rear yard, unless:
- (1) For interior lots an attached garage is permitted if it complies with the following:
 - (a) It is located within a contextual block face where 50 percent of the developed lots have attached garages with the vehicle opening facing a primary front yard on the same street the new vehicle opening will face;
 - (b) The width of the vehicle opening is less than 33 percent of the width of the dwelling facing the front property line;
 - (c) The front wall of the garage is set back at least 8 feet from the front building wall facing the primary front yard and;
 - (d) The vehicle opening is located at least 18.50 feet from the interior edge of the public sidewalk or 20 feet from the property line if there is no sidewalk.
 - (2) For corner or through lots an attached private garage is permitted if it complies with the following:
 - (a) The vehicle opening faces a secondary front yard and;
 - (b) The garage wall is no closer to the front property line than the front building wall facing the primary front yard.

~~7-2502 - Reserved.~~

~~7-2504 - Reserved.~~

~~7-2505 - Free-standing garages to the rear of the main building.~~

- ~~(A) Regardless of other regulations in this zoning ordinance, a free-standing private garage is permitted to the rear of the main building in accordance with the regulations in this section 7-2505 so long as it is the only garage on the lot or adjacent vacant lot under common ownership. The floor area of such a garage constructed in accordance with the standards of this section will be excluded from floor area calculated under the provisions of section 2-145(A)(6).~~

~~(B) - Standards.~~

- ~~(1) - Size. For lots with a minimum of 5,000 square feet and with less than 8,000 square feet lot area, the garage shall have a floor area not greater than 250 square feet and a height not greater than 11.50 feet. For lots 8,000 square feet or larger, the garage shall have a floor area not greater than 500 square feet and a height not greater than 13.50 feet. The director may modify the height permitted in this section 7-2505(B)(1) when the height and design of the garage are appropriate and compatible with the main dwelling and with the character of the immediate neighborhood.~~
- ~~(2) - Setback. The garage may be located in the rear yard if it complies with the following:~~
- ~~(a) - The garage shall be set back a minimum of one foot from any side or rear property line if the garage wall facing that property line has no windows or doors or if that lot line borders an alley;~~

- ~~(b) — If the conditions of item (a) above are not met, the setback shall be three feet; and~~
- ~~(c) — If a wall of a dwelling on an adjacent lot has any windows or doors that have a sill lower than 13.50 feet, measured from grade, facing the shared property line and located within three feet of that shared property line, the new garage's setback shall be five feet, including any roof overhang, from that shared property line. This setback from that shared lot line is required at the location of the affected window(s) or doorway(s) and is required to extend along the width of those window(s) or doorway(s) and shall extend for a minimum of five feet in each direction from that window or doorway.~~
- ~~(3) — Access. If there is no direct access to the garage from an alley, a permeable-surfaced driveway is permitted in the side yard for access to the garage. Permeable-surfaced driveways can be composed of grass with ring and grid structure, gravel with a grid structure beneath, paving strips, a grid-based surface, or other treatments without significant compaction of the base, but must be approved by the department of planning and zoning and the department of transportation and environmental services. Either the department of planning and zoning or the department of transportation and environmental services can grant an exemption to the permeable-surfaced driveway requirement in cases of steep slopes, adverse soil conditions, constructability, or other conditions that for safety or environmental reasons would require use of a non-permeable surfacing material. Tandem parking in the driveway is permitted. Curb cuts must be approved in accordance with section 5-2-2 of the City Code and section 8-200(C)(5) of this zoning ordinance. The number of vehicles permitted on the lot is limited by section 8-200(C)(6).~~
- ~~(4) — Compatibility. The accessory garage shall be compatible with the main dwelling in regard to materials and design.~~
- ~~(5) — Use. The accessory garage shall be dedicated to the use and storage of motor vehicles.~~

7-2506 - Attached garages.

Private garages that are an integral part of the main residential dwelling are only permitted under the following standards:

~~(A) — Access to garage.~~

- ~~(1) — Lot with width 65 feet or more. If the lot width is 65 feet or more, an attached garage shall have the vehicle opening facing the side yard. Such a garage may be no closer to the front property line than the plane of the front building wall. In the case of a corner lot, an attached garage may face a secondary front yard if the proposed location and design of the door is consistent with the block and neighborhood character. Such a garage may be no closer to the front property line than the plane of the secondary front building wall.~~
- ~~(2) — Lot with width less than 65 feet. If the lot width is less than 65 feet, an attached garage with a vehicle entrance facing the front yard is permitted, but must be set back a minimum of eight feet from the plane of the front building wall. No roof or covering is permitted in front of such a garage and any construction above shall not extend forward of the front plane of the garage. The garage door shall be compatible with the design of the residence.~~

- ~~(B) Driveway surface. A non-tandem parking or garage access arrangement is permitted only if the parking area is a permeable surface, unless the department of planning and zoning or the department of transportation and environmental services determines that a permeable surfaced driveway is not appropriate due to steep slopes, adverse soil conditions, constructability, or other conditions that for safety or environmental reasons would require use of a non-permeable surfacing material.~~

~~7-2507 Tree coverage requirement.~~

- ~~(A) For all construction that requires a grading plan, trees must be planted or existing trees preserved to provide a minimum of 25 percent canopy cover over the site. Refer to the City of Alexandria Landscape Guidelines to determine tree crown coverage allowances.~~
- ~~(B) The director shall approve this requirement as part of the grading plan.~~

11-1302- Special exception established.

A lot developed with a single family, two family, or townhouse dwelling may be the subject of a special exception from the following zoning requirements pursuant to this section 11-1300:

- (A) Fences on corner lots.
- (B) Yard and setback requirements for enlargement of a dwelling, as follows:
- (1) Yard and setback requirements applicable to the extension or enlargement of a single family, two family or townhouse dwelling only, within any one noncomplying plane of such dwelling.
 - (2) As used in this subsection, the term noncomplying plane means the vertical plane established by a wall, one story or more in height, of a main building which wall:
 - (a) Does not comply with the yard or setback requirements of this ordinance,
 - (b) Existed prior to the effective date of any change to the yard or setback regulations or restrictions applicable to such wall, and
 - (c) Extends for more than 50 percent of the length of the building along the side containing such wall.
- (C) Yard and setback requirements for a front porch subject to the following requirements:
- (1) The applicant for a front porch shall demonstrate by clear and convincing evidence that the proposed front porch is compatible with the existing building architecture, neighboring properties and neighborhood character, and will comply with the following requirements:
 - (a) No portion of the front porch shall extend beyond either end of the front building facade unless such extension complies with the regulations for the zone in which it is located.
 - (b) The roof line of the porch shall be in scale with the existing building architecture.
 - (2) Nothing in this subsection shall be deemed to authorize the extension or enlargement of a single family, two family or townhouse dwelling beyond the height or floor area ratio permitted by the zone in which such dwelling is located, nor to authorize the approval of more than one special exception per dwelling under the provisions of this subsection.
- (D) Established front yard setback requirements for a main dwelling required by section 7-2503, subject to the following requirements:
- (1) Limitation on front setback increase or decrease.

- (a) An adjustment is allowed of as much as ten percent from the average front setback line calculated for the project or five feet, whichever is less.
- (b) The front setback increase or decrease shall be the minimum necessary to achieve the desired result.
- (2) The applicant shall demonstrate by clear and convincing evidence that the proposed change in front setback for the dwelling is necessary for environmental and/or critical construction reasons and that the dwelling in the proposed location will be compatible with the character of the rest of the neighborhood block and will not be detrimental to the maintenance of an established setback along the street.

(E) Attached private garages with the vehicle opening facing the primary front yard that do not meet the requirements of Section 7-2500 that are located on lots developed with a single-family dwelling in the R-20, R-12, R-8, R-5, R-2-5, RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts, subject to the following requirements:

- (1) It is located within a block face or contextual block face where at least 50 percent of the developed lots have attached garages with the vehicle opening facing a primary front yard on the same street where the new vehicle opening will face.
- (2) The width of the vehicle opening shall be less than 33 percent of the width of the building facing the front property line.
- (3) The garage is no closer to the front property line than the front building wall facing the primary front yard, unless
 - (a) the applicant demonstrates by clear and convincing evidence that locating the garage completely behind the front building wall is not possible due to topography, shape of the lot, placement of the existing dwelling on the lot or other environmental concerns.
- (4) It is in compliance with the required yards established by the zone.
- (5) Nothing in this subsection shall be deemed to authorize the extension or enlargement of a dwelling beyond the height or floor area ratio permitted by the zone in which such dwelling is located, nor to authorize the approval of more than one special exception per lot under the provisions of this subsection.

MEMO

TO: Karl Moritz
FROM: Dave Brown
SUBJECT: Infill Regs Amendment re Garages
DATE: June 1, 2019

Karl, I promised you a critique of Dkt. # 9, to be forwarded to Tony, Mary and Ashley. As you have seen in the past, I always try to take an especially close look at proposed amendments to the work of the Infill Task Force. In this case, I think the staff has done an excellent job of refinement on a particular topic we addressed back in the day. I will be supporting the Text Amendment.

I nevertheless have a few comments for staff's consideration—more so on the memo than on the actual text recommended for enactment. I will deal with both.

Staff Report at 3 (first paragraph in II.): I find the second (also the last) sentence incorrect and unnecessarily redundant of the first sentence. I would replace it as follows: "The Infill Regulations thus adopted a bright-line rule, depending on which side the lot fell as to its lot width."

Second full paragraph, p.3: The second, third and fourth sentences should be rewritten as follows (if what I say is true): "The current Section 7-2506(A)(1) requires side-yard access to attached garages on lots with a width of 65 feet or more. Staff has found that in some instances this regulation restricts homeowners from building front-loaded garages which would be compatible with the existing neighborhood pattern of development. The proposed changes replace the bright-line lot width rule with a more flexible one that ties approval of all front-loaded garages, regardless of lot width, to a criteria that are site-specific and relate to the extent to which front-loaded garages already are the development pattern \in the immediate vicinity of the property."

First paragraph of Part III.A. I found this paragraph very confusing, mixing old and new section numbers. I recommend the following complete rewrite:

"Staff proposes to amend 2-149 (garage, private), to amend and move 2-103 (accessory building) to a new 2-197.1 (structure, accessory), and to create new definitions for the front building wall (Section 125.1) and subordinate structure (Section 2-197.3). Staff also proposes the renumbering of other, otherwise unchanged nearby definitions affected by this restructuring (i.e., title loan business, subdivision, and ornamental structure). With these amendments, staff intends to provide more clarity and consistency to both staff and the public for application and interpretation of the Zoning Ordinance."

Discussion of Section 2-125.1—Building wall, front: I recommend the following rewrite of the first sentence: "Several sections in the Zoning Ordinance currently prohibit accessory structures forward of the front building wall, including Sections 7-2505(A), 7-2506(A) and 7-103(A)"

Staff Report at 4, Section 2-197.3—Structure, subordinate: The first sentence references [current?] sections that do not use the term. Please correct this. If you want to refer to the new text, please refer to it as such. One way or the other, this term must appear elsewhere in the Ordinance to justify adding the definition of it.

Staff Report at 4, C. Tree Coverage Requirement: In the fourth line, the sentence should end with “sections.” The next sentence should start “Only ...” The next sentence should be stricken. The next sentence (after the stricken one) should read: “Staff proposes to replace the word ‘site’ with ‘lot’ to be consistent with Section 2-166, the definition of ‘lot’.” [See suggested text amendment below.] The next sentence should be stricken and replaced with the following: “Staff proposes no other changes, except to add the standard language from the Infill Regulations specifying where the requirement applies (since it has been moved out of the Infill Regulations).”

Staff Report at 4-5, D. Private Garages: There is more confusion here in need of clarification. I would rewrite the entire discussion as follows:

“With the tree coverage requirement moved out of the Infill Regulations, all that remains, in the wake of earlier amendments, are the restrictions on private garages—Section 7-2505 (freestanding) and 7-2506 (attached). Staff therefore proposes retitling 7-2500 as Private Garages, with 7-2505 and 7-2506 becoming 7-2501 and 7-2502 respectively, as proposed to be amended. For freestanding garages, staff proposes to expand the range of lots eligible for such garages. For attached garages, staff proposes a rewrite of the criteria for when they will be allowed to have vehicle openings facing the street.”

Staff Report at 5, second paragraph under 7-2501 discussion: More confusion here, especially as between the existing and new requirements. I propose the following paragraph rewrite:

“The current Section 7-2506(B)(2) requires that a 1- or 3-foot setback be maintained depending on the location of windows. Staff recommends retaining this standard but also requiring any architectural features, such as eave and gutter, to comply with the 1- or 3-foot setback.”

Staff Report at 5, third paragraph under 7-2501 discussion: replace the term “in section 7-2501” with “in proposed new section 7-2501”

Staff Report at 6, second paragraph. In the next-to-last line, replace “font” with “front” and add the following sentence at the end of the paragraph: “This replaces the current rule which provides no front-loading restriction when the lot width is less than 65 feet and prohibits front-loaded garages on wider lots in all but certain corner lot circumstances.”

Staff Report at 6, third paragraph: in the last line, refer to “section 2-197.3” as “proposed new section 2-197.3”

Staff Report at 6, first paragraph under E. Special Exception Established

Change “proposed in Section 7-2200” to “in proposed Section 7-2502.” Note also that in my comments on the text below, I recommend you draft language to be added to new Section 7-2502 explicitly referencing the special exception provision in proposed new section 11-1302(E).

Suggested Text Amendment Changes

New section 7-2200: In subparagraph (A), second line, change “site” to “lot”. This is what the Staff Report (at 4) says is recommended.

New section 7-2501: Revise the start of subparagraph (B)(2) as follows: “*Setback*. The freestanding garage must be located in the required side or rear yard in compliance with the following.” The staff’s version makes it sound like a voluntary matter, not a requirement.

New section 7-2501: At the end of subparagraph (d), replace the period after “front building wall” with a comma, and add the following: “and approved by the director as to location.” This addition tracks what is intended as expressed in the Staff Report at 5.

New section 7-2502: I recommend drafting language to be added, perhaps as new section 7-2502(B), referencing the possible availability of a special exception as set forth in 11-1302(E) in cases where the standards of 7-2501(A) are not met.

DEL RAY CITIZENS ASSOCIATION

WWW.delraycitizens.org

P.O. Box 2233, Alexandria, VA 22301

June 3, 2019

Karl W. Moritz, Acting Director,
Department of Planning and Zoning
City of Alexandria
City Hall, Room 2100
Alexandria, VA 22314

RE: Garage Text Amendment

Dear Mr. Moritz,

With regards to the proposed text amendment for an attached garage when a free-standing garage cannot be located completely behind the rear of the building, the DRCA Land Use Committee is requesting in such instances to be allowed the opportunity to review and comment on the location in lieu of leaving it up solely to the director of P & Z.

The development pattern of Del Ray historically has the garage located behind the residence even on our typical lots. By allowing input from the LUC it is hoped the proposed garage can be more sympathetic to the past.

Thank you for your consideration of this letter and the opinions of the Land Use Committee.

Sincerely,

Kristine Hesse, Co-Chair
Del Ray Citizens Association
Land Use Committee

City of Alexandria, Virginia

MEMORANDUM

DATE: June 3, 2019

TO: CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL W. MORITZ, DIRECTOR, DEPARTMENT OF PLANNING & ZONING

SUBJECT: TA#2019-00003 Private Residential Garages

Commissioner Brown conducted a review of both the staff report and the proposed text language amendments. Commissioner Brown offered a series of recommended changes (Commissioner Brown's memo dated June 1, 2019). The memo includes very thorough and helpful suggestions that improve both the text amendment itself and the explanation of the proposed changes. In addition to recommending that the Planning Commission support many of Commissioner Brown's proposed changes, staff will include Commissioner Brown's memo in the record of this text amendment, where it can inform the interpretation of this text amendment in the future.

This memorandum provides amendments to the Staff Report for TA#2019-00003 which is a request to amend sections of the Zoning Ordinance pertaining to private residential garages. Staff proposes revisions to clarify and address questions raised by Commissioners. Therefore, staff recommends:

On page 3 of the Staff Report, in the second paragraph under Section II. the reference to Section 7-2200 be updated to Section 7-2502.

Similarly, on page 3 of the Staff Report, under the proposed Section 2-125.1 -Building wall, front, the reference to Section 7-2200 be updated to Section 7-2502.

On page 4 of the Staff Report, staff cites several sections which reference subordinate structures in Sections 7-100 and Section 7-2200. Subordinate structures are referenced in Section 2-103 (accessory building) and 2-104 (accessory use) which are the principal definitions of Section 7-100. The sentence be updated to reflect these sections.

On page 6 of the Staff Report, in the second paragraph, replacing the word "font" to "front" so the final sentence reads "Staff recommends allowing garages with the vehicle opening facing the primary front yard if the majority of the homes in the contextual block face provide forward-facing attached garages."

On page 6 of the Staff Report, under the proposed E. Special Exception Established, the

reference to Section 7-2200 be updated to Section 7-2502.

To change the remaining “site” to “lot” in Section 7-2200 Tree Coverage Requirement:

~~7-2200- Reserved.~~ **Tree coverage requirement.**

The supplemental regulations in this section apply to residential lots in the R-20, R-12, R-8, R-5, R-2-5, and lots developed or proposed to be developed with single-family and two-family dwellings in the RA and RB zones, not including property located within the Old and Historic Alexandria and Parker-Gray Districts. The tree coverage requirements are as follows:

- (A) For all construction that requires a grading plan, trees must be planted, or existing trees preserved to provide a minimum of 25 percent canopy cover over the lot. Refer to the City of Alexandria Landscape Guidelines to determine tree crown coverage allowances.
- (B) The director shall approve this requirement as part of the grading plan.

To add the following clarification in Section 7-2501 (d) Freestanding private garages to the rear of the main building wall:

(d) The freestanding garage must be located completely behind the rear wall of the dwelling unless, the director determines that locating the garage completely behind the rear building wall is not possible due to topography, shape of the lot, placement of the existing dwelling on the lot or other environmental concerns, in these cases the garage must be located completely behind the front building wall, and approved by the director as to location.

Staff continues to recommend approval of TA#2019-00003 with the amendments proposed in this memorandum.